



DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town

CHARTERED 1749 INCORPORATED 1961

17755 Main Street / P.O. Box 56
Dumfries, Virginia 22026-0056
Tel. 703-221-3400 / Fax 703-221-3544
www.DumfriesVirginia.org

MEMORANDUM

TO: Town Council, Daniel E. Taber, and Town Manager
FROM: Christine R. Sanders, Town Attorney
DATE: October 6, 2011
RE: Audio/video recording of all Planning Commission meetings,
and BZA and ARB meetings if there are cases or public hearings

Issue

Dumfries Zoning Administrator and Planner David Moss and I discussed necessity of having a complete and accurate record of all Planning Commission meetings and Board of Zoning Appeals (BZA) and Architectural Review Board (ARB) meetings if there are cases or public hearings on the agenda.

Discussion

As the Town continues to move forward with a comprehensive plan update, possible additional zoning codes and/or text amendments, rezoning requests and zoning enforcement it is anticipated that more property and/or business owners will be applying for conditional use permits, zoning amendments, variances and other land use approvals. Or it is anticipated the there will be an increase in BZA appeal cases. Accordingly, there will be some approvals and some denials and the Town needs to have full and accurate records of all of these matters that come before the boards and commissions.

Virginia Code §2.2-3707 requires that minutes be kept in writing and along with the dates, times, members of the public body present or absent, summary of the discussion on matters proposed, deliberated or decided and a record of the votes take. To date, the Planning Commission, BZA and ARB have relied mostly on hand-written notes for records of its meetings. These notes have been invaluable and do comply with the code requirements. However, the members of these

bodies who have been responsible for the minutes also need to take an active listening and participatory role in the proceedings. Audio/visual recordings of these proceedings will allow for meaningful and greater participation of the board and commission members.

Additionally, as more cases come before these bodies, staff anticipates more public hearings and more cases will need to be heard and decided. These hearings and cases will present complex issues for consideration. An audio/video recording of the proceedings will ensure the best accuracy of the record of these proceedings and it will serve to protect all parties concerned. Should appeals from board and commission decisions occur or litigation result from any of these proceedings the Town and the parties involved will be in the best possible situation by having a clear record to rely upon.

Presently, the Town has no ability to record these meetings without also broadcasting them so they will also be broadcast live. There should be minimal fiscal impact from video recording these proceedings. Staff plans to start audio/video recording all Planning Commission and BZA and ARB meetings when there are public hearings or cases heard beginning November 1, 2011.